

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

\* \* \* \* \*

In the matter of the application of	)	
<b>CONSUMERS ENERGY COMPANY</b>	)	
for approval of long-term power purchase	)	Case No. U-18382
contracts.	)	
_____	)	

At the October 25, 2017 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman  
Hon. Norman J. Saari, Commissioner  
Hon. Rachael A. Eubanks, Commissioner

**ORDER WITHDRAWING APPLICATION AND CLOSING DOCKET**

On May 1, 2017, Consumers Energy Company (Consumers) filed an application requesting approval of long-term capacity purchase contracts (Contracts) to meet the company's planning reserve margin requirements established by the Midcontinent Independent System Operator, Inc., for the 2018 planning year. The Contracts were related to Consumers' application for a financing order filed in Case No. U-18250 and were intended to fulfill part of the company's projected capacity need after May 31, 2018.<sup>1</sup>

On August 8, 2017, a prehearing conference was held before Administrative Law Judge Sharon L. Feldman. Consumers and the Commission Staff participated in the proceeding.

---

<sup>1</sup> In Case No. U-18250, Consumers requested authority from the Commission to make a one-time payment to buy out its existing power purchase agreement (PPA) with Entergy Nuclear Palisades, LLC (Entergy).

Subsequently, the Commission issued an order in Case No. U-18250 that authorized \$136.6 million of the requested \$172 million related to the buyout agreement. September 22, 2017 order in Case No. U-18250 (September 22 order). In light of the Commission's September 22 order, Consumers announced that it would not seek to terminate its PPA with Entergy. Therefore, Consumers states that the Contracts related to this proceeding are no longer necessary and that there are no legal impediments precluding voluntary withdrawal of its application.

The Commission agrees and finds that Consumers' request to voluntarily withdraw its application is reasonable, in the public interest, and should be approved.

THEREFORE, IT IS ORDERED that Consumers Energy Company's application for approval of long-term power purchase agreements in Case No. U-18382 is withdrawn and the docket is closed.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, under MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov) and to the Michigan Department of the Attorney General - Public Service Division at [pungpl@michigan.gov](mailto:pungpl@michigan.gov). In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

---

Sally A. Talberg, Chairman

---

Norman J. Saari, Commissioner

---

Rachael A. Eubanks, Commissioner

By its action of October 25, 2017.

---

Kavita Kale, Executive Secretary